

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

JAMES GREEN, JR.

PETITIONER

V.

CIVIL ACTION NO. 5:09cv171-DCB-MTP

BRUCE PEARSON, Warden

RESPONDENT

FINAL JUDGMENT

This cause is before the court upon the Notice of Voluntary Dismissal [10] filed by Petitioner. As the Defendant has not yet served an answer or dispositive motion, the court finds that this action should be dismissed without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A). Accordingly,

IT IS, THEREFORE, ORDERED AND ADJUDGED that this cause filed pursuant to 28 U.S.C. § 2241 be dismissed without prejudice. All pending motions are denied as moot.

SO ORDERED AND ADJUDGED, this the 4th day of March, 2010.



UNITED STATES MAGISTRATE JUDGE